

REMARKS

Claims 1-7 are pending in this application. By this Amendment, claim 1 is amended in reply to the objection of claim 1. Thus, no new matter is added.

I. Personal Interview

The courtesies extended to Applicants' representative by Examiner Nguyen at the interview held October 14, 2004, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

II. Allowable Subject Matter

Applicants appreciate the indication of allowable subject matter in claim 3, it being allowable if rewritten in independent form to include all of the features of its base claim and any intervening claims. Applicants submit that claim 3, as well as the remaining pending claims, is in condition for allowance for the reasons discussed below.

III. Claim Objections

Claim 1 is objected to for an informality. As claim 1 is amended as suggested in the Office Action, Applicants request the objection to claim 1 be withdrawn.

IV. Claim Rejections Under 35 U.S.C. §103

Claims 1, 2, 4, 6 and 7 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,864,193 to Katoh. The rejection is respectfully traversed.

Applicants assert that Katoh does not disclose or suggest each and every feature recited in the rejected claims, as admitted in the Office Action.

The Office Action admits that Katoh does not disclose a rotor of a rotor electric machine, the rotor comprising *inter alia* ... at least the rear end portion of the outer conductor segment extends in a direction substantially perpendicular to an axial direction of the center shaft and is formed so that an axial thickness of the rear end portion of the outer conductor

segment gradually increases along the substantially perpendicular direction to the axial direction, as recited in amended claim 1, or that the rear end portions of the outer conductor segments form a commutator surface with which brushes disposed movably in the axial direction and make sliding contact, and the commutator surface is slanted relative to a plane perpendicular to the axial direction, as recited in rejected claim 2.

Although the Office Action admits that Kotoh does not disclose such features, the Office Action alleges that it would have been obvious to one skilled in the art at the time the invention was made to modify the rotor of Kotoh by configuring the outer conductor segments as recited in the rejected claims because "an artisan would have the necessary mechanical skills and the art to modify the shape of the rear end portions in order to improve efficiency of the rotor." The Office Action supports its position by indicating that a modification in size or shape is generally recognized as being within the level of ordinary skill in the art citing In re Rose, 105 USPQ 237 (CCPA 1955).

As discussed during the interview, unlike the situation in Rose, the structure of the rear end portion is patentably distinct over the applied reference in that the structure of the outer conductor segments achieves the resulting functionality that addresses the problem known to exist in the prior art as set forth in the Background of the Invention in this application. In other words, it is the structural configuration of the rear end portion of the outer conductor segment that reduces the electrical resistance of the rotor that overcomes the problem in the prior art. Therefore, as agreed during the personal interview the amended claims overcome the references applied in the Office Action. Applicants request that the rejection of the claims be withdrawn.

Claim 5 is rejected under 35 U.S.C. §103(a) as unpatentable over Kotoh in view of U.S. Patent 5,889,342 to Hasebe et al. ("Hasebe"). Applicants submit that claim 5 is allowable for at least its dependency on claim 1 for the reasons discussed above, as well as for the

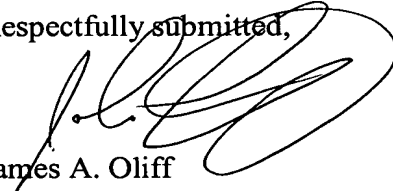
additional features recited therein. Furthermore, as Hasebe does not overcome the deficiencies of Katoh, Applicants request the rejection of claim 5 under 35 U.S.C. §103(a) be withdrawn.

V. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-7 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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JAO:JWF/ldg

Attachment:
Petition for Extension of Time

Date: October 15, 2004

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